

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RODERICK W. LEAR,)	
)	Civil Action No. 03 - 1156
Plaintiff,)	
)	Judge Maurice B. Cohill
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
DIRECTOR MR. DAHAUS,)	
COUNSELER RON PRISTAS, MONITOR)	
CATHERINE DELEE, MONITOR MR.)	
McCLAIN, COUNSELOR MISS BEAN)	
)	
Defendants.)	

ORDER

The above captioned case was initiated by the filing of a Motion to Proceed In Forma Pauperis (Doc. No. 1) on July 31, 2003. The case was referred to United States Magistrate Judge Ila Jeanne Sensenich for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. Magistrate Judge Sensenich granted the in forma pauperis motion and the Clerk of Court filed the Complaint (Doc. No. 3) on August 8, 2003. The case was transferred to Magistrate Judge Lisa Pupo Lenihan on April 6, 2004.

The Magistrate Judge's Report and Recommendation (Doc. No. 37), filed on April 19, 2006, recommended that the instant case be dismissed for failure to prosecute. The report and recommendation was served on the Plaintiff at his last known address, which is reflected on the docket as SCI Greensburg, RD 10, Box 10, Greensburg, PA 15601 and on counsel for the Defendants. The parties were advised they were allowed ten (10) days from the date of service to file written objections to the report and recommendation. No objections have been filed. After

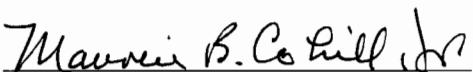
file written objections to the report and recommendation. No objections have been filed. After review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 30th day of May, 2006;

IT IS HEREBY ORDERED that this case is **DISMISSED** with prejudice for failure to prosecute.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 37) of Magistrate Judge Lenihan, dated April 19, 2006, is adopted as the opinion of the court.

By the Court:



Maurice B. Cohill
Senior United States District Judge